

Amendment No. 2 to SB2436

Watson
Signature of Sponsor

AMEND Senate Bill No. 2436*

House Bill No. 2611

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-29-231(a), is amended by deleting subdivision (46) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 4-29-234(a), is amended by adding a new subdivision thereto, as follows:

() Tennessee auctioneer commission, created by § 62-19-104;

SECTION 3. Tennessee Code Annotated, Section 62-19-104(b), is amended by deleting subdivision (2) in its entirety and by substituting instead the following:

(2) One (1) member of the commission shall not be engaged in the auction business. The member shall be at least thirty (30) years of age and of good moral character and shall be appointed from the state at large. Such member shall have no commercial or professional association with the auction profession or industry, either directly or indirectly.

SECTION 4. Tennessee Code Annotated, Section 62-19-104, is further amended by inserting the following new sections immediately preceding subsection (d) and by redesignating the subsequent subsections accordingly:

(d)

(1) Notwithstanding the provisions of § 3-6-304 or any other law to the contrary, and in addition to all other requirements for membership on the commission:

(A) Any person registered as a lobbyist pursuant to the registration requirements of title 3, chapter 6 who is subsequently appointed or otherwise named as a member of the commission shall

terminate all employment and business association as a lobbyist with any entity whose business endeavors or professional activities are regulated by the commission, prior to serving as a member of the commission. The provisions of this subdivision (1)(A) shall apply to all persons appointed or otherwise named to the commission after July 1, 2010;

(B) No person who is a member of the commission shall be permitted to register or otherwise serve as a lobbyist pursuant to title 3, chapter 6 for any entity whose business endeavors or professional activities are regulated by the commission during such person's period of service as a member of the commission. The provisions of this subdivision (1)(B) shall apply to all persons appointed or otherwise named to the commission after July 1, 2010, and to all persons serving on the commission on such date who are not registered as lobbyists; and

(C) No person who serves as a member of the commission shall be employed as a lobbyist by any entity whose business endeavors or professional activities are regulated by the commission for one (1) year following the date such person's service on the commission ends. The provisions of this subdivision (1)(C) shall apply to persons serving on the commission as of July 1, 2010 and to persons appointed to the commission subsequent to such date.

(2) A person who violates the provisions of this subsection shall be subject to the penalties prescribed in title 3, chapter 6.

(3) The bureau of ethics and campaign finance is authorized to promulgate rules and regulations to effectuate the purposes of this subsection. All such rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, and in accordance with the procedure for initiating and proposing rules by the ethics

commission to the bureau of ethics and campaign finance as prescribed in § 4-55-103.

(e) In addition to all other requirements for membership on the commission, all persons appointed or otherwise named to serve as members of the commission after July 1, 2010, shall be residents of this state.

SECTION 5. The provision of this act which prohibits a member with an indirect association with the auction profession or industry from serving on the commission shall apply to all member appointments made to the commission after July 1, 2010.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.